REMARKS

I. Status of the Claims:

Claims 1-4, 6-10, 12-15, 18-21, 26-50, 52-57, 59-64, 66, 67, 69, 71-73, 75-85, 87, 92-94, 96, 97 and 99 are pending.

By this Amendment, claims 1, 26-28, 30-31, 40, 44, 49, 59, 60 and 80 have been amended. Upon entry of this Amendment, claims 1-4, 6-10, 12-15, 18-21, 26-50, 52-57, 59-64, 66, 67, 69, 71-73, 75-85, 87, 92-94, 96, 97 and 99 would be pending.

II. Obviousness-type Double Patenting Rejection:

Claims 1-15, 18-57 and 59-93 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over the claims of co-pending application nos. 09/938,866 (filed on 8/24/01), 10/116,932 (filed on 4/5/02), 10/117,514 (filed on 4/5/02), 10/387,002 (filed on 3/12/03), and 0/387,005 (filed on 3/12/03).

As these obviousness-type double patenting rejections are provisional, the Applicants will address them at an appropriate time when at least one or more claims of the current application are deemed to contain allowable subject matter (notwithstanding this rejection).

Further, as previously submitted, the current application is the earliest filed of these U.S. applications. As such, reconsideration of the appropriateness of these rejections in the current application is respectfully requested. See MPEP § 804.

Regarding claim 80 and its dependent claims, these claims are directed to a method involving the displaying, when the retrieved web page is displayed in a web page display

area, of the extracted data in a predetermined field outside of the web page display area. The scope and content of this aspect of these claims or the differences and so forth are not addressed at all in the rejection, pursuant to MPEP § 804. That is, the Examiner has not performed an analyses of the claims as a whole under the standards set for in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966). See MPEP §804 ("Since the analysis employed in an obviousness-type double patenting determination parallels the guidelines for a 35 U.S.C. 103(a) rejection, the factual inquiries set forth in *Graham v. John Deere Co.,* 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103 are employed when making an obvious-type double patenting analysis."). This deficiency is also found with respect to rejection of the other claims, such as claims 1, 59 and 60 and their dependent claims. Thus, the Office Action does not provide sufficient basis or analyses to establish a prima facie case of obviousness with respect to all of these claims.

As best understood, in support of this rejection, the Examiner appears to be relying primarily on legal precedent, i.e., In re Karlson, 136 U.S.P.Q 184 (C.C.P.A. 1963), for the alleged proposition that "the omission and addition of the cited limitations would have not changed the process according to which the data processing web page related data, particularly would perform the same function of managing web page data." See Office Action, p. 6. Such a conclusory allegation is simply improper and still does not substitute for the requirement of an analyses of the claims as a whole under the standards set forth in Graham v. John Deere Co. Id. This is particularly so in this case where the Examiner does not even identify what the omissions or additions to which Karlson is relied upon to remedy. Moreover, given the absence of any analyses, to the extent Karlson is relied upon, it is unclear how the facts of Karlson are

sufficiently similar to that of this application particularly with respect to this rejection. MPEP §2144.

In view of the foregoing, reconsideration and withdrawal of this rejection are respectfully requested.

III. Rejections Under 35 U.S.C. §§ 102 and 103:

Claims 1-4, 6-10, 12-15, 18-21, 26-50, 52-57, 59-64, 66-67, 69, 71-73, 75-76, 93, 97 and 99 are rejected under 35 U.S.C. §103(a) as being unpatentable over Debbie Pinard ("GB 2324896) in view of Walls (U.S. Patent No. 5,848,410). Claims 80-85, 87 and 92 are rejected under 35 U.S.C. §102(e) as being anticipated by either Singhal (U.S. Patent No. 6,370,527) or Niielsen (U.S. Patent No. 6,003,046). As best understood, claims 80-85 also appear to be rejected under 35 U.S.C. §103(a) as being unpatentable over Debbie in view of Walls. See Office Action, pp. 19-

A. Claims 1, 59 and 60:

Claim 1, as amended, is directed to an arrangement in which web page data of an existing web page fetched from an original source is acquired and saved in correspondence with assigned index in a storage unit if a condition is determined to be satisfied, the saved web page data being sufficient to regenerate at least a portion of the web page without accessing to the original source.

In contrast, Debbie discloses a web page generator which creates a member web page template and replaces fields in the template with member information to generate a member specific web page. The member specific web page is then placed on a web server and accessed

by a user. As best understood, the Examiner appears to be reading the template of Debbie as the web page data that is acquired. See Office Action, p. 8 (stating "acquiring web page data' corresponds to Debbie's template file information"). The template itself, however, is not data of an existing web page. Instead, the template in conjunction with other information are accessed and used to generate or create a web page. Walls as relied upon by the Examiner does not remedy the deficiencies in the Debbie teaching. Thus, the cited references do not disclose or suggest the acquiring of web page data of an existing web page as well as the other operations of extracting and saving as they pertain to the acquired data of the existing web page. The cited reference also do not disclose or suggest saving web page data which is sufficient to regenerate at least a portion of the web page without accessing the original source.

There is also no proper motivation for combining the references in the manner suggested by the Examiner. As noted above, the Examiner appears to be reading the template of Debbie on the web page data that is acquired, as claimed. Walls discloses an index in which an index-organizing element including a keyword is stored in correspondence with a location element such as a URL. It is unclear what if or why one of ordinary skill in the art would extract a keyword from a "template" or even index a "template".

In view of the foregoing claim 1 and its dependent claims are believed to be distinguishable over the cited references, individually or in combination. For similar reasons, claims 59 and 60 and their dependent claims are also believed to be distinguishable over the cited references, individually or in combination.

The dependent claims are believed to be further distinguishable over the cited references. With respect to for instance at least claims 2, 12-14, 26-36, 40-46, 49 and 57, these

dependent claims further relate to "browsed data" or the acquisition of data through a browser client, a browser or the Internet. As noted above, the Examiner relies on the "template" of Debbie to read on the web page data that is acquired. This "template" in Debbie is however used to create or generate a web page which is later placed on a server for subsequent access, and thus the "template" when obtained in the web page generation process of Debbie is clearly not data of an existing web page. Thus, one of ordinary skill in the art would not acquire a "template" of Debbie through a browser client, browser or the Internet in view of the cited references Debbie and Wall, or modify the teaching of these references to do so.

B. Claim 80:

Claim 80, as amended, is directed to a method involving extracting data within a predetermined meta tag from a web page retrieved by a browser; and displaying, when the retrieved web page is displayed in a web page display area, the extracted data in a predetermined field outside of the web page display area.

As claimed, both the retrieved web page and the data extracted from the meta tag of the web page are displayed, but the extracted data is displayed in a predetermined field outside of a web page display area where the web page is displayed.

The Applicants respectfully submit that claim 80 and its dependent claims are distinguishable over the cited references, for the reasons set forth below.

(i) Debbie and Walls:

As acknowledged by the Examiner, Debbie does not disclose or suggest extracting data from a web page. It thus follows that Debbie is also silent as to the claimed

display of extracted data in a predetermined field outside of the area. As best understood, the Examiner appears to rely upon Walls (e.g., col. 11, lines 29-32; Figs. 7-8) as teaching these deficiencies in the Debbie teachings. The Applicants respectfully disagree.

Walls in Figs. 7-8 simply show and describe a main page/an initial index jumping interface and index display/secondary index jumping interface. That is, these Figures simply show the display of indexes. Thus, the Walls reference, as relied upon by the Examiner, does not disclose or suggest the displaying of both the retrieved web page and the data extracted from the meta tag of the web page or the display of the extracted data in a predetermined field outside of a web page display area where the web page is displayed.

Accordingly, claim 80 and its dependent claims are distinguishable over Debbie and Wall, individually or in combination.

(ii) Singhal:

Singhal as relied upon by the Examiner shows in Fig. 2 a meta-search engine (i.e., Allforone) which " merely allows the simultaneous entry of a search query into each of the search engines and simultaneous display of search results." See Singhal, col. 2, lines 39-42. In other words, these portions of Singhal simply describe an exemplary conventional meta-search engine which displays search results from plural search engines. Although displayed search results may contain data extracted from the various web pages (that meet a search query), the display of such results is neither the display of both a retrieved web page and the data extracted from the meta tag of that web page nor the display of the extracted data in a predetermined field outside of a web page display area where the web page is displayed.

Furthermore, the Office Action does not address with reasonable particularly what the Examiner is relying upon in Singhal to read on the retrieved web page, the extracted data, the display of both the retrieved web page and the extracted data, and the predetermined field outside of the area (where the retrieved web page is displayed).

Accordingly, claim 80 and its dependent claims are distinguishable over Singhal.

(iii) Nielson:

Nielson as relied upon by the Examiner describes a system for retrieving a selected page of a structured document and for automatically developing context information about the selected page. This context information may include a table of contents showing the location of the selected hypertext page in relationship to other hypertext pages. For example, as shown in Figs. 3 and 4, this context information is inserted into the hypertext page. The context information that is displayed becomes part of the web page. Thus, Nielson does not disclose or suggest the displaying of the extracted data in a predetermined field outside of a web page display area where the web page is displayed.

Accordingly, claim 80 and its dependent claims are distinguishable over Nielson.

CONCLUSION

Based on the foregoing amendments and remarks, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4233-4002. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4233-4002. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 10, 2006

By: /James Hwa/
James Hwa
Registration No. 42,680
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101